

compared Senate Bill No. 36, and find it correctly enrolled, and have this day at 4:10 o'clock, p. m., presented same to the Governor for his approval.

DARWIN, Acting Chairman.

Committee Room,
Austin, Texas, February 5, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Enrolled Bills, have carefully examined and compared Senate Bill No. 70, and find it correctly enrolled, and have this day at 5:07 o'clock, p. m., presented same to the Governor for his approval.

DARWIN, Acting Chairman.

Engrossing Committee Reports.

Committee Room,
Austin, Texas, February 5, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Engrossed Bills, have carefully compared Senate Bill No. 102, and find same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,
Austin, Texas, February 5, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Engrossed Bills, have carefully compared Senate Bill No. 215, and find same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,
Austin, Texas, February 5, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Engrossed Bills, have carefully compared Senate Bill No. 152, and find same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,
Austin, Texas, February 5, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Engrossed Bills, have carefully compared Senate Bill No. 204, and find same correctly engrossed.

WESTBROOK, Chairman.

TWENTIETH DAY.

Senate Chamber,

Austin, Texas,

Monday, February 8, 1915.

The Senate met at 2 o'clock, p. m., pursuant to adjournment, and was called to order by Lieutenant Governor W. P. Hobby.

The roll was called, a quorum being present, the following Senators answering to their names:

Bailey of DeWitt.	Johnson.
Bailey of Harris.	King.
Bee.	Lattimore.
Clark.	McCollum.
Conner.	McGregor.
Cowell.	McNealus.
Darwin.	Morrow.
Gibson.	Robbins.
Hall.	Smith.
Harley.	Suiter.
Harris.	Townsend.
Henderson.	Westbrook.

Absent.

Brelsford. Parr.

Absent—Excused.

Astin.	Page.
Hudspeth.	Wiley.
Nugent.	

Prayer by the Chaplain.

Pending the reading of the Journal of Friday, the same was dispensed with, on motion of Senator Johnson.

Excused.

On account of sickness in family: Senator Wiley, for today, and indefinitely, on motion of Senator Bailey of DeWitt.

Motion to Correct Error in Bill.

I ask unanimous consent to amend amendments 1, 2, 3 and 4, to engrossed rider to S. B. No. 7, by adding, before the word "bill," on first line of each amendment, the word "printed."

BAILEY of Harris.

There being no objection, the error was ordered corrected.

Simple Resolution No. 68.

By Senator Westbrook:

Whereas, The Enrolling Clerk has informed me that "lobbyists" have continued to frequent the Enrolling Clerk's room, since being notified not to do so a few days ago; and,

Whereas, It is possible that bills may be taken and changes made in same that would be detrimental to this body and the people of Texas; and,

Whereas, It is contrary to the policy of the Senate that "lobbyists" loiter in the hallways and working rooms of said body during its sessions; therefore, be it

Resolved, by the Senate of Texas, That the Lieutenant Governor be required to instruct the Sergeant-at-Arms to detain any person, not entitled to the privileges of said hallways and working rooms, and bring them before the bar of the Senate for investigation.

The resolution was read and, by unanimous consent, adopted.

Bills and Resolutions.

By Senators McGregor, Lattimore, Bee and Brelsford:

S. B. No. 235, A bill to be entitled "An Act directing the sale of the land and other property of the Blind Asylum, located in Austin, and that the proceeds of such sale shall be paid into the general revenue of the State, and directing that land be purchased and new buildings be erected thereon, and that the new institution be known as the Texas School for the Blind; creating a board, and making an appropriation to carry out the provisions of this Act."

Read first time, and referred to Committee on State Affairs.

By Senator Robbins:

S. B. No. 236, A bill to be entitled "An Act regulating public utilities, creating and establishing a public service commission, prescribing the powers and duties of the commission, and the rights and duties of public utilities; providing penalties for violations of provisions of the Act; repealing laws in conflict with the provisions thereof, and appropriating money to carry out the purposes of the Act."

Read first time, and referred to Committee on State Affairs.

By Senator Westbrook:

S. B. No. 237, A bill to be entitled "An Act requiring railroads to allow at least four days' rest in each calendar month to certain employes, and providing penalties for the violation of the Act."

Read first time, and referred to Committee on State Affairs.

By Senator Bee:

S. B. No. 238, A bill to be entitled "An Act to amend Articles 312, 314 and 318, of Chapter 1, Title 12, entitled "Attorney at Law," of the Revised Statutes of 1911, of the State of Texas, relating to the granting of licenses to attorneys at law, so as to require applicant for license to apply to the Board of Legal Examiners of the supreme judicial district in which such applicant resides; providing that where applicant is refused license, he must apply thereafter to the same board; and providing that immigrant attorneys must apply to the Board of Examiners of the supreme judicial district in which the seat of government of this State may be, and to repeal all laws in conflict herewith."

Read first time, and referred to Judiciary Committee No. 1.

By Senator Johnson:

S. B. No. 239, A bill to be entitled "An Act providing for the making of plats of land or lands which shall hereafter be laid off into town lots or blocks for the purpose of sale by any person, firm or corporations; providing for the filing of such plats in the office of the county clerk and county tax assessor; providing a penalty for failure to comply with the same, and declaring an emergency."

Read first time, and referred to Committee on Public Lands and Land Office.

By Senator Johnson:

S. B. No. 240, A bill to be entitled "An Act creating the Hedley Independent School District in Donley County, Texas; providing for a board of trustees in said independent school district, and conferring upon said district and its board of trustees all the rights, powers, privileges and duties now conferred and imposed by the General Laws of the State upon independent school districts and the board of trustees thereof; to provide for the election of trustees, for the raising of rev-

enue, issuing bonds, building and maintaining school houses, maintaining public free schools, declaring valid an issue of bonds heretofore made; declaring valid a maintenance tax heretofore voted, and declaring an emergency."

Read first time, and referred to Committee on Educational Affairs.

By Senator Bailey of DeWitt:

S. B. No. 241, A bill to be entitled "An Act to amend Title 49, Chapter 2, of the Revised Civil Statutes of 1911, by adding thereto Articles 2924a and 2924b; providing that the refusal of the officers of election at any voting precinct to permit supervisors selected under Articles 2923, 2924, 2934 and 785 thereof to act as such at such election, or in anywise hinder or obstruct them in the discharge of their duties as such supervisors, shall vitiate the election held in such precinct; providing a penalty for such refusal, hindrance or obstruction of the performance of their duties by such supervisors, and declaring an emergency."

Read first time, and referred to Committee on Judiciary No. 2.

By Senator Lattimore:

S. B. No. 242, A bill to be entitled "An Act to regulate the payment of any part of the premiums on life insurance as commissions to agents; and declaring an emergency."

Read first time, and referred to Committee on Insurance, Statistics and History.

By Senators Morrow, Johnson and Harley:

S. B. No. 243, A bill to be entitled "An Act to place under single management the State University and the Agricultural and Mechanical College, the State School of Mines, and the Prairie View Normal School, and declaring an emergency."

Read first time, and referred to Committee on Educational Affairs.

By Senator Lattimore:

S. C. R. No. 6, Providing for an election, on second Tuesday in June, 1915, to be participated in by women only, to determine whether or not the women of the State desire the question of "woman suffrage" submitted to the people; and providing for support of such amendment to the Constitution in case of a majority vote in favor thereof."

Read first time, and referred to Committee on Rules.

Message From the House.

Hall of the House of Representatives, Austin, Texas, February 8, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

House Bill No. 26, A bill to be entitled "An Act prohibiting the operation of a corporation for the dual purpose of owning, controlling or operating a cottonseed oil mill, and of owning, controlling or operating a public cotton gin; also prohibiting a corporation chartered for the purpose of operating a cottonseed oil mill from owning, controlling or operating, directly or indirectly, a public cotton gin in this State; providing suitable penalties, forfeitures, and procedure for enforcing this Act; prohibiting any interference with or restriction of the competition in the sale, handling or marketing of cotton seed, giving all corporations engaged in the business of operating cottonseed oil mills that now own, control or operate public cotton gins nine months from the taking effect of this Act to sell or otherwise dispose of their gin properties and interests, punishing domestic and foreign corporations having no legal authority or permit to do a ginning or cottonseed oil mill business to be in any manner engaged in, or in any manner interested therein in this State, or to own stock or any interest in any corporation, foreign or domestic, or joint stock association or partnership so engaged; providing penalties, punishments and procedure for all corporations, and persons violating this Act, and declaring an emergency," with engrossed riders.

House Bill No. 53, A bill to be entitled "An Act to diminish the civil and criminal jurisdiction of the county court of Schleicher County; to conform the jurisdiction of the district court thereto, and to repeal all laws in conflict therewith, and declaring an emergency."

House Bill No. 134, A bill to be entitled "An Act to amend Article 3086, Title 49, Chapter 10, Revised

Statutes of Texas, changing the date of holding primary elections, and regulating the manner of holding same," with engrossed rider.

House Bill No. 160, A bill to be entitled "An Act to amend Article 5217, Chapter 12, Title 75, Revised Civil Statutes of Texas of 1911, relating to verdicts of juries."

House Bill No. 212, A bill to be entitled "An Act to amend an Act entitled 'An Act to render more effective and efficient the present road law in the State of Texas in its application and operation in the counties of Guadalupe, Caldwell, Bee, Jackson, Grimes, Comal, Colorado, Hays, Gillespie, Wood, Jefferson and Maverick, and to authorize and empower the said counties to issue bonds for the construction and maintenance of public roads and highways within the said counties, and regulating the compensation of certain officers,' passed at the First Called Session of the Twenty-eighth Legislature, and approved by the Governor April 23, 1903, so as to except Jefferson County from the provisions and operations of said Act, and declaring an emergency."

House Bill No. 203, A bill to be entitled "An Act adding to and making a part of the Alice Independent School District of Jim Wells County certain lands and territory adjoining thereto situate in Jim Wells County for school purposes; giving the board of trustees of said district power and jurisdiction over said lands and territory, and the inhabitants thereof; exempting such added territory from the bonded indebtedness of the Alice Independent School District; validating the incorporation proceedings of said Alice Independent School District and its bonded indebtedness, and declaring an emergency."

House Bill No. 192, A bill to be entitled "An Act to create a more efficient road law for Franklin County, and declaring the county commissioners to be ex officio road supervisors, requiring their bond, defining their duties and fixing their compensation; giving them control of all public roads and the commissioner's court full control of all road hands subject to road service, and declaring who is subject, amount of service required and amount of money to be paid in lieu of service, when and to whom paid; providing for the distribution of money and taxes, and

for the purchase of tools and material for the roads, for teams and compensation thereof; providing for penalties and for the creation of bond issues for the special road tax upon any commissioner's precinct, and for the office of road supervisor for such precinct; and providing for the observance of this law, and repealing all laws in conflict herewith, and declaring an emergency, and providing for working county convicts, and recording votes of commissioners," with engrossed rider.

House Bill No. 231, A bill to be entitled "An Act to amend Sections 2 and 14, of an Act creating a special road system for Harrison County, Texas, passed at the Regular Session of the Twenty-ninth Legislature, and known as Chapter 53, Special Laws of the Twenty-ninth Legislature, and which became a law May 9, 1905; fixing the compensation of road hands and county commissioners; declaring an emergency, and providing for the suspension of the constitutional rule requiring all bills to be read on three several days."

House Bill No. 295, A bill to be entitled "An Act to amend Section 3 of the Special Road Law for Smith County, Texas, passed at the Regular Session of the Thirty-third Legislature, and known as Chapter 70, Special Laws of the Thirty-third Legislature, and creating an emergency, and providing for the suspension of the constitutional rule requiring all bills to be read on three several days."

House Bill No. 243, A bill to be entitled "An Act to amend Section 1, of Chapter 12, of the Special Laws enacted by the First Called Session of the Thirty-third Legislature, being a special road law for Hopkins County, and declaring an emergency," with engrossed rider.

House Bill No. 251, A bill to be entitled "An Act to incorporate Belfalls County Line Common School District No. 15, composed of territory lying in Bell and Falls Counties, Texas, the said district being attached to Falls County for management and control into an independent school district, to be known as Belfalls Independent School District for free school purposes only; providing for the election of a board of trustees therefor, and defining and prescribing the duties and powers of said board of trustees; validating the

tax levy for bonds and maintenance thereon; vesting the tax levy for bonds and maintenance thereon; vesting said district with all the rights, powers, privileges and duties of a town or village incorporated under the general laws of this State for free school purposes only, and declaring an emergency."

House Bill No. 264, A bill to be entitled "An Act to create a more efficient road system for Henderson County, Texas, making county commissioners ex officio road commissioners, defining the duties of the commissioners; providing for the appointment of road overseers and defining their duties, terms of office, requiring county commissioners to sectionize and class public roads, etc.; providing for the working of county convicts on the public roads and the payment of officers' costs; placing all road hands under the jurisdiction and control of road commissioners and road overseers; providing for the duties of road hands, and number of days required of these per year."

House Bill No. 299, A bill to be entitled "An Act to create a more efficient road system for Wood County, Texas, and making the county commissioners of said county ex officio road commissioners; prescribing their compensation as such road commissioners, and providing for working county convicts upon public roads of said county and for the payment of the fees of officers and witnesses in such cases, and providing for the amount of time to be allowed road hands for their teams, and providing for the payment of \$5.00 in lieu of road service; providing that Wood County shall be subject to the general law governing the appointment of road overseers, and the providing of roads into one precinct and the distribution of hands to work in such road precincts; and providing, further, that this law shall be cumulative of the general road laws, and in case of a conflict that this Act shall govern as to Wood County, and repealing all laws and parts of laws in conflict herewith; and declaring an emergency."

House Concurrent Resolution No. 5, Relating to enrolled bills of both Houses.

House Concurrent Resolution No.

6, Making March 2 "Texas Independence Day."

Respectfully,

W. R. LONG,

Chief Clerk, House of Representatives.

House Bills Read and Referred.

The Chair (Lieutenant Governor Hobby) had referred, after their captions had been read, the following House bills:

H. B. No. 26, referred to Judiciary Committee No. 1.

H. B. No. 53, referred to Committee on Counties and County Boundaries.

H. B. No. 134, referred to Committee on Privileges and Elections.

H. B. No. 160, referred to Judiciary Committee No. 1.

H. B. No. 212, referred to Committee on Public Roads, Bridges and Ferries.

H. B. No. 203, referred to Committee on Educational Affairs.

H. B. No. 192, referred to Committee on Public Roads, Bridges and Ferries.

H. B. No. 231, referred to Committee on Public Roads, Bridges and Ferries.

H. B. No. 295, referred to Committee on Public Roads, Bridges and Ferries.

H. B. No. 243, referred to Committee on Public Roads, Bridges and Ferries.

H. B. No. 251, referred to Committee on Educational Affairs.

H. B. No. 264, referred to Committee on Public Roads, Bridges and Ferries.

H. B. No. 299, referred to Committee on Public Roads, Bridges and Ferries.

H. C. R. No. 5, referred to Committee on Public Printing.

H. C. R. No. 6 (returned to House for correction, on motion of Senator McNealus).

Pending the reference of H. B. No. 160, Senator Townsend moved that the bill be referred to Committee on State Affairs, and,

Senator Morrow moved, as a substitute, that the President of the Senate refer the bill to such committee as, in the judgment of the Chair, was the most appropriate committee.

Senator McGregor moved to table the substitute motion, which motion

to table was lost by the following vote:

Yeas—6.

Darwin.	Robbins.
Gibson.	Townsend.
McGregor.	Westbrook.

Nays—17.

Bailey of DeWitt.	Henderson.
Bailey of Harris.	Johnson.
Bee.	King.
Clark.	Lattimore.
Conner.	McNealus.
Cowell.	Morrow.
Hall.	Smith.
Harley.	Suiter.
Harris.	

Present—Not Voting.

McCollum.

Absent.

Brelsford. Parr.

Absent—Excused.

Astin.	Page.
Hudspeth.	Wiley.
Nugent.	

The substitute motion was then adopted.

Morning call concluded.

Invitation to Visit Health Demonstration Car.

To the Hon. James E. Ferguson, Governor; Hon. W. P. Hobby, Lieutenant Governor, and the Members of the Texas Senate; Hon. John W. Woods, Speaker of the House, and Members of the Texas House of Representatives, Their Wives and Relatives:

As president of the State Board of Health, I extend a cordial invitation to you to visit the public health car, which is now located at the depot, at the foot of Congress avenue. You will find same of material assistance to you in your efforts to improve the public health conditions of this State.

The car will be open from now until Tuesday, February 9, at noon. Conveyance will be furnished you to and from the Capitol, and only parties of sixteen or eighteen can be accommodated at a time.

Thanking you in advance for your presence at this car, I am,

Yours sincerely to serve,
W. B. COLLINS,
State Health Officer.

On motion of Senator McNealus, the above invitation was accepted.

Message From the Governor.

Governor's Office,
Austin, Texas, February 8, 1915.

To the Texas Senate:

I ask the advice and consent of the Senate to the appointment of J. T. Sluder and Atlee Ayers of Bexar County, to be members of the Board of Managers of the Southwestern Insane Asylum at San Antonio, Texas.

Respectfully submitted,
JAS. E. FERGUSON,
Governor.

Senate Bill No. 204.

(By unanimous consent.)

The Chair laid before the Senate, on third reading,

S. B. No. 204, A bill to be entitled "An Act to appropriate out of the general revenue not heretofore appropriated, the sum of \$25,000.00, or so much thereof as may be necessary, to defray the expenses of the Department of the State Health Officer of the State of Texas, in preventing an outbreak of the bubonic plague or the spread thereof, and declaring an emergency."

The bill was read third time, and lost by the following vote:

Yeas—9.

Bailey of Harris.	King.
Bee.	McGregor.
Clark.	McNealus.
Cowell.	Westbrook.
Hall.	

Nays—13.

Bailey of DeWitt.	Lattimore.
Conner.	Morrow.
Darwin.	Robbins.
Harley.	Smith.
Harris.	Suiter.
Henderson.	Townsend.
Johnson.	

Present—Not Voting.

McCollum.

Absent.

Brelsford. Parr.
Gibson.

Absent—Excused.

Astin. Page.
Hudspeth. Wiley.
Nugent.

Senator Johnson moved to reconsider the vote by which the bill was lost, and table the motion to reconsider.

The motion was adopted.

Senate Bill No. 46.
(Pending business.)

Action recurred on the pending bill,

S. B. No. 46, A bill to be entitled "An Act to regulate the payment of wages to employes in certain employments within the State of Texas, providing penalty for violation, and declaring an emergency."

There was pending an amendment by Senator Townsend and a substitute therefor, by Senator Bee.

By unanimous consent, Senator Townsend withdrew his amendment, and Senator Bee corrected the substitute and offered same as the amendment, as follows:

Strike out Section 1, and insert in lieu thereof the following:

"Section 1. That each and every manufacturing, mercantile, mining, quarrying, railroad, street railway, canal, oil, steamboat, telegraph, telephone and express company, employing more than five persons, and each and every water company not operated by a municipal corporation, and each and every wharf company, and every other corporation engaged in any business within the State of Texas, which employs more than five persons, or any person, firm or corporation engaged in or upon any public work for the State or for any county or any municipal corporation thereof, either as a contractor or a sub-contractor, therewith, shall pay each of its employes the wage earned by him or her as often as semi-monthly, and pay to a day not more than sixteen days prior to the day of payment."

Senator Henderson offered the following amendment to the amendment:

Amend the amendment, by striking out "five" where it occurs, and insert "ten."

On motion of Senator Smith, the amendment to the amendment was tabled.

The amendment was then adopted.

The bill, having already been read, was passed to engrossment.

Senate Bill No. 131.

Senator McGregor moved that the regular order of business (S. B. No. 55), be suspended, and the Senate take up, out of its order, S. B. No. 131.

The motion was adopted by the following vote:

Yeas—16.

Bailey of Harris.	McGregor.
Bee.	McNealus.
Darwin.	Morrow.
Hall.	Robbins.
Harley.	Smith.
Harris.	Suiter.
King.	Townsend.
McCollum.	Westbrook.

Nays—6.

Clark.	Henderson.
Conner.	Johnson.
Cowell.	Lattimore.

Absent.

Bailey of DeWitt.	Gibson.
Brelsford.	Parr.

Absent—Excused.

Astin.	Page.
Hudspeth.	Wiley.
Nugent.	

The Chair laid before the Senate, on second reading,

S. B. No. 131, A bill to be entitled "An Act to amend Article 5475 of Title 80, of the Revised Civil Statutes of 1911," by adding thereto the following:

"Providing, however, that this Article shall not apply in any way or in any case where any person leases or rents lands or tenements at will or for a term of years for agricultural purposes, where the same is cultivated by the tenant who furnishes everything except the land and where the landlord charges rental of more than one-third of the value of the grain, or more than one-fourth

of the value of the cotton, raised on the said land; and any contract for the leasing or renting of lands or tenements at will or for a term of years for agricultural purposes stipulating or fixing a higher or greater rental than that herein provided for, shall be null and void, and shall not be enforceable in any court in this State by any action either at law or in equity and no lien of any kind, either contractual or statutory, shall attach in favor of the landlord, his estate or assigns, upon any of the property named, nor for the purpose mentioned in this Article; and provided, further, that if any landlord or person for him shall violate or attempt to evade any of the provisions of this Article by collecting or receiving a greater amount of rent for such land, than herein provided shall be collected or received by him upon any contract, either written or verbal, the tenant or person paying the same, or the legal representative thereof, may, by an action of debt instituted in any court of this State, having jurisdiction thereof, in the county of defendant's residence, or in the county where such rents or money shall have been received or collected, or where said contract may have been entered into, or where the party or parties paying the same resided when such contract was made, within two years after such payment, recover from the person, firm or corporation receiving the same, double the amount of such rent or money so received or collected."

The bill was read, and

Senator Westbrook offered the following amendment:

Amend the bill, on page 3, by inserting, after the word "the," and before the word "value," in line 1, the following: "grain or," and by inserting, after the word "the," and before the word "value," in line 2, of said page, the following: "cotton or."

The amendment was read, and

Senator McGregor moved to table same, which motion to table was adopted by the following vote:

Yeas—11.

Bailey of DeWitt.	Harris.
Bailey of Harris.	King.
Bee.	McGregor.
Brelsford.	Smith.
Hall.	Suiter.
Harley.	

Nays—10.

Clark.	McNealus.
Conner.	Morrow.
Cowell.	Robbins.
Johnson.	Townsend.
Lattimore.	Westbrook.

Absent.

Gibson.	Parr.
McCollum.	

Absent—Excused.

Nugent.	Wiley.
Page.	

Pairs Recorded.

Senator Darwin (present) who would vote "nay"; Senator Astin (absent), who would vote "yea."

Senator Henderson (present), who would vote "nay"; Senator Hudspeth (absent), who would vote "yea."

Senator Westbrook offered the following amendment:

Amend the bill, on page 3, by inserting, after the word "the," and before the word "value," in line 5, the following: "grain or," and by inserting, after the word "the," and before the word "value," in line 6 of said page, the following: "cotton or."

The amendment was read, and

Senator Bailey of Harris moved to table the same, which motion to table was adopted by the following vote:

Yeas—10.

Bailey of DeWitt.	Harris.
Bailey of Harris.	King.
Bee.	McCollum.
Hall.	McGregor.
Harley.	Smith.

Nays—9.

Clark.	Robbins.
Cowell.	Suiter.
Johnson.	Townsend.
Lattimore.	Westbrook.
McNealus.	

Present—Not Voting.

Brelsford.	Morrow.
Conner.	

Absent.

Gibson.	Parr.
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Absent—Excused.

Nugent. Wiley.
Page.

Pairs Recorded.

Senator Darwin (present), who would vote "nay"; Senator Astin (absent), who would vote "aye."

Senator Henderson (present), who would vote "nay"; Senator Hudspeth (absent), who would vote "aye."

Senator Lattimore offered the following amendment:

Amend caption, line 22, after the word "land," and the body of the bill, page 3, line 6, of printed bill, after the same word, "land," by inserting the following: "nor where the landlord or his agent charges more for any rented residence, storehouse, office building, factory or shop building in any town or city than a sum that would equal 10 per cent on the reasonable market value of such rented property."

LATTIMORE,
COWELL,
M'NEALUS.

Pending.

The amendment was read, and Senator McGregor made the point of order that the amendment was not germane to the bill.

The Chair overruled the point of order.

Message From the House.

Hall of the House of Representatives,
Austin, Texas, February 8, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bill:

S. B. No. 52, A bill to be entitled "An Act to reorganize the Thirteenth Judicial District of Texas, and to create the Seventy-seventh District of Texas; and fix the time of holding the courts in said district; and to provide for organizing grand juries at certain terms in said courts; and to provide for the appointment of a judge of the Seventy-seventh Judicial District; and to continue in office the judge of the Thirteenth Judicial District, and district attorney for said district, as district attorney of said judicial district, and the clerks of district courts in the sev-

eral counties of said district; and to repeal all laws and parts of laws in conflict herewith, and declaring an emergency," with amendments.

Respectfully,

W. R. LONG,
Chief Clerk, House of Representatives.

Bills Signed by the Chair.

The Chair, Lieutenant Governor Hobby, gave notice of signing, and did sign, in the presence of the Senate, after their captions had been read, the following bills and resolutions:

S. B. No. 113, entitled "An Act to create a more efficient road system for Henderson County, Texas," etc.

H. C. R. No. 3, Providing a committee to inspect the Capitol building.

H. B. No. 80, A bill to be entitled "An Act to amend the road law of Shelby County, and declaring an emergency."

Adjournment.

On motion of Senator McNealus, the Senate, at 5:30 o'clock, p. m., adjourned until 2 o'clock tomorrow afternoon.

APPENDIX.

Petitions and Memorials.

Senator Townsend presented resolutions from the pastors of the Timpson District of the Methodist Episcopal Church, South, in missionary institute assembled, opposing the horse racing bill.

Senator Clark offered petitions from citizens of Kenedy and Yoakum, favoring and opposing the repeal of the Robertson insurance law.

Senator Johnson presented a petition signed by the county officers of Dallam County and numerous citizens of Dalhart, asking for support of an amendment to the anti-pass law permitting all city fire marshals to have free railroad transportation.

Senator Lattimore presented petitions from citizens opposing the passage of the Parks' Sunday local option bill; from citizens of Tarrant County, praying for legislation limiting the expenditure of money in

primary election campaigns; and from Judge Marvin H. Brown of the Sixty-seventh District Court, protesting against the measure known as the anti-fraternity bill.

Senator Westbrook offered three numerously signed petitions from citizens of Collin County, opposing the repeal of the Robertson insurance bill.

Senator Smith offered two petitions from citizens of Gregg County, in opposition to the "full crew bill"; a petition from four hundred and twenty-five citizens of Smith County, praying for the submission of the "woman suffrage amendment."

A letter from Dr. Schwartz of Houston in which he opposes the appropriation of \$25,000.00 for the eradication of rats in seaport cities, was sent to the Secretary's desk by Senator Harley.

Senator Bailey of Harris presented petition from citizens of Abilene and Port O'Conner, favoring the passage of S. B. No. 78.

Committee Reports.

Committee Room,
Austin, Texas, February 8, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Judiciary No. 1, to whom was referred

S. B. No. 9, A bill to be entitled "An Act to amend Article 5490 of the Revised Statutes of 1911,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, with the following amendments:

Amend bill by striking out the word "three" wherever it occurs in the bill, and inserting in lieu thereof the word "four."

Amend bill, by inserting, after the words "contract year," in the second paragraph of the bill, the words "and five years thereafter."

Amend the bill, by inserting, in line 6 of the bill, after the words "past due," the words, "not to exceed one hundred and fifty dollars."

Amend the bill, second paragraph, by inserting, after the word "year," in line 3, of said paragraph, the following, "unless evidenced by an instrument of writing."

MORROW, Chairman.

Committee Room,
Austin, Texas, February 8, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Judiciary No. 1, to whom was referred

S. B. No. 150,

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do not pass.

MORROW, Chairman.

(Minority Report.)

Committee Room,
Austin, Texas, February 8, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: A minority of your Committee on Judiciary No. 1, to whom was referred

S. B. No. 150, A bill to be entitled "An Act to amend Article 3785, Revised Civil Statutes of 1911, designating the personal property that shall be reserved to every family exempt from attachment or execution, and every other species of forced sale for the payment of debts, except such debts as are mentioned and described in Article 3792 and Article 3793, Revised Civil Statutes of 1911,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

BAILEY of DeWitt.

Committee Room,
Austin, Texas, February 8, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Judiciary No. 1, to whom was referred

H. B. No. 132, A bill to be entitled "An Act to amend Section 2, Chapter 96, of the General Laws of the Regular Session of the Thirty-third Legislature, relating to the taking of fish, as amended by Chapter 96, of the General Laws of the Regular Session of the Thirty-third Legislature, the purpose of the amendment being to add to the list counties exempted by the provision of said Section 2, Wood County, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report the same back to the Senate

with the recommendation that it do pass, and be not printed.

MORROW, Chairman.

Committee Room,
Austin, Texas, February 8, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred S. B. No. 222, A bill to be entitled "An Act creating a State Board of Public Accountancy, and defining qualifications of the members thereof; providing for the appointment of said board, and fixing its powers and duties; providing for the examinations of applicants for certificates as certified public accountants, and the issuance, refusal and revocation of such certificates by said board, and the collection of an annual fee on said certificates; providing for the preservation and authentication of the records of said board; prohibiting any one from representing himself as a certified public accountant unless so certified by said board, and providing a penalty therefor; making it a misdemeanor for any person practicing within the State of Texas as a certified public accountant under this Act, or in the practice of public accountancy as a certified public accountant, willfully to falsify any report or statements bearing upon any examination, investigation or report made by him or under his direction as such accountant; and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

M'COLLUM, Chairman.

Committee Room,
Austin, Texas, February 5, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: We, your Committee on Constitutional Amendments, to whom has been referred

S. J. R. No. 2, to amend the Constitution of Texas so as to provide for allowing a public officer to be recalled by the electors qualified to vote for his election,

Have had the same under consideration, and beg leave to report same back to the Senate with the recommendation that it do not pass, but

that committee substitute pass in lieu thereof, and be printed.

WESTBROOK, Acting Chairman.

Committee Substitute for Senate
Joint Resolution No. 2.

Proposing an amendment to the Constitution of the State of Texas, providing for the recall of public officers.

Be it resolved, by the Senate and House of Representatives of the State of Texas, that a proposition be submitted to the people of the State of Texas to amend Article 4 of the State Constitution, by adding thereto a new section to be known as Section —, as follows:

Section —. Every elective public officer in Texas, whether holding his office by election or appointment, is subject as herein provided, to recall by the qualified voters of the State or of the electoral district from which he is elected; there may be required 25 per cent, but not more, of the number of qualified voters who voted in his district at the preceding election for the office to which he was elected to file a valid petition demanding his recall by the people, save and except that the signatures of not more than 15 per cent of the qualified voters shall make a valid petition demanding the recall of an officer voted for by the electors of the entire State. The petitioners shall set forth in their petitions the reasons for such demand. If he shall offer his resignation, it shall be accepted on the day it is offered, and the vacancy shall be filled as may be provided for by law. If he shall not resign within five days after the petition is filed, a special election shall be ordered to be held in his said electoral district not less than twenty nor more than sixty days after the filing of such petition, to determine whether the people shall recall such officer. On the sample and official ballots at such election shall be printed, in not more than five hundred words, the reasons for demanding the recall of said officer, as set forth in the petition for his recall, and in not more than five hundred words the officer's justification of his course in office; provide, that the Legislature may provide, by means of a publicity pamphlet or otherwise, for the information of the voters concerning the reasons alleged for the recall of said officer,

and with said officer's defense. He shall continue to perform the duties of his office until the result of said special election shall be declared officially. Other candidates for the office may be nominated to be voted upon at said special election. The recall of the officer against whom such recall petition is filed shall be voted upon as a separate question. If a majority of all the voters voting in such special election shall vote in favor of the recall of said officer, he shall thereby be removed from office, and the candidate who shall have received the highest number of votes shall be deemed to be elected to fill the remainder of the term. The name of the officer sought to be recalled shall not appear upon the ballot as a candidate. No vote for any candidate shall be counted unless the voter shall have also voted upon the question of the recall of the officer sought to be removed. The recall petition shall be filed with the officer or officers with whom a nomination to such office should be filed, or other officer, as may be provided by law, and such officer or officers shall order a special election when it is required. No such recall petition shall be circulated against any officer until he has actually held his office six months, save and except that it may be filed against a Senator or Representative in the Legislature, or any member of a city council at any time after five days from the beginning of the first session after his election. After one such petition and special election, no further recall petition shall be filed against the same officer during the term for which he was elected, unless such further petitioners shall first pay into the State Treasury, which has paid such election expenses, the whole amount of its expenses for such previous special election. Such additional legislation as may aid in the preparation of this Section shall be enacted by the Legislature, including provisions for payment by the State, city, county or counties composing a district, from the public treasury, of the reasonable campaign expenses of such officer in the event that he is not recalled.

Committee Room,
Austin, Texas, February 8, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Constitutional Amendments, to whom was referred

S. J. R. No. 7, providing for the creation of the State of Jefferson out of the territory embraced within the Twenty-fifth, Twenty-sixth, Twenty-eighth and Twenty-ninth Senatorial Districts of Texas,

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

WESTBROOK, Acting Chairman.

Committee Room,
Austin, Texas, February 8, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: A majority of your Committee on Constitutional Amendments, to whom was referred

S. J. R. No. 5, to be entitled "A joint resolution proposing and submitting to a vote of the people of Texas an amendment to Sections 50 and 51, of Article 16, of the Constitution, providing that the homestead of a family shall be protected from forced sale for the payment of all debts, except for the purchase money or a part of the purchase money due thereon, or for work and material used in constructing improvements thereon, and prescribing what shall constitute such improvements, and prescribing the manner in which last mentioned debts shall be contracted; defining what shall constitute a rural homestead and what shall constitute an urban homestead, and the maximum value thereof at the time designated as such homestead,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

BAILEY of DeWitt,
Acting Chairman.

(Minority Report.)

Committee Room,
Austin, Texas, February 6, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: A minority of your Commit-

teen on Constitutional Amendments, to whom was referred

S. J. R. No. 5,

Have had the same under consideration, and a minority of said committee beg leave to report the same back to the Senate with the recommendation that it do not pass.

DARWIN.

Committee Room,
Austin, Texas, February 8, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Constitutional Amendments, to whom was referred

S. J. R. No. 3, amending Article 5, Section 2, of the Constitution of Texas, so as to provide that the Supreme Court of this State shall consist of a chief justice and four associate justices; to describe their qualification, tenure of office and compensation,

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

BAILEY of DeWitt,
Acting Chairman.

Committee Room,
Austin, Texas, February 8, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Constitutional Amendments, to whom was referred

S. J. R. No. 1, submitting certain proposed amendments to Section 26, Article 5, of the Constitution of the State of Texas, authorizing the commissioners court of each county of the State to appoint a convenient number of notaries public for each county, who shall perform such duties as are now or may be prescribed by law,

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

BAILEY of DeWitt,
Acting Chairman.

Committee Room,
Austin, Texas, February 8, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Rules, to whom was referred

S. R. No. 63, providing that here-

after all hearings on bills before the Senate be held only by the committee regularly appointed to consider same; and be it

Resolved further, That the remainder of the Session, the use of the Senate Chamber be not granted to any person or persons who may desire to deliver addresses in favor of or against any measure pending before the Senate,

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do not pass.

DARWIN, Chairman.

Committee Room,
Austin, Texas, February 8, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Rules, to whom was referred S. R. No. 54, providing that the rules of the Senate be amended by adding the following, 69d:

"The Chairman of each standing committee to whom any bill may be referred, shall at once appoint some member of such committee to make to said committee a short written report on what said bill purports to contain, what change, if any, is made in the committee, if an amendment, which report shall be printed with the report of the committee on the bill,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do not pass.

DARWIN, Chairman.

Committee Room,
Austin, Texas, February 8, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Rules, to whom was referred

S. R. No. 67, an amendment providing "that beginning on Monday, February 8, 1915, the Senate follow the calendar, in the considering and disposing of bills, to the end of the current Session."

Amendment: "Provided, that the provisions of this resolution shall apply only to the consideration of bills."

Have had the same under consideration, and I am instructed to re-

port the same back to the Senate with the recommendation that it do not pass.

DARWIN, Chairman.

(Minority Report.)

Committee Room,
Austin, Texas, February 8, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: We, a minority of your Committee on Rules, to whom was referred

S. R. No. 67, and amendment, providing "that beginning on Monday, February 8, 1915, the Senate follow the calendar, in the considering and disposing of bills, to the end of the current Session."

Amendment: "Provided, that the provisions of this resolution shall apply only to the consideration of bills."

Have had the same under consideration, and we are instructed to report the same back to the Senate with the recommendation that it do pass.

DARWIN.

Enrollment Committee Report.

Committee Room,
Austin, Texas, February 8, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Enrolled Bills, have carefully examined and compared Senate Bill No. 113, and find it correctly enrolled, and have this day, at 2:40 o'clock, p. m., presented same to the Governor for his approval.

M'COLLUM, Chairman.

Engrossing Committee Report.

Committee Room,
Austin, Texas, February 8, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Engrossed Bills, have carefully compared Senate Bill No. 7, and find same correctly engrossed.

WESTBROOK, Chairman.

TWENTY-FIRST DAY.

Senate Chamber,
Austin, Texas,
Tuesday, February 9, 1915.

The Senate met at 2 o'clock, p. m., pursuant to adjournment, and was called to order by Lieutenant Governor W. P. Hobby.

The roll was called, a quorum being present, the following Senators answered to their names:

Bailey of DeWitt.	King.
Bailey of Harris.	Lattimore.
Bee.	McCollum.
Conner.	McGregor.
Cowell.	McNealus.
Darwin.	Morrow.
Gibson.	Page.
Hall.	Robbins.
Harley.	Smith.
Harris.	Sulter.
Henderson.	Townsend.
Hudspeth.	Westbrook.
Johnson.	

Absent.

Brelsford. Clark.

Absent—Excused.

Astin. Parr.
Nugent. Wiley.

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator McNealus.

Excused.

On account of important business: Senator Astin, for today, on motion of Senator Bailey of DeWitt.

Senator Parr, for yesterday and today, on motion of Senator King.

Senator Nugent, for today and balance of week, on motion of Senator Johnson.

See Appendix for Petitions and Memorials and Standing Committee reports.

Bills and Resolutions.

By Senator Lattimore:

S. B. No. 244, A bill to be entitled "An Act to define junk dealers; to require such dealers to give bond; prescribing the conditions of such bond; to require such dealers to take